

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, SOUTHERN DIVISION

ANTHONY LEE HARBUCK, )  
                        )  
Plaintiff,            )  
                        )  
v.                    ) CIVIL ACTION NO.  
                        )  
                        ) 1:98cv490-MHT  
KELLEY FOODS OF ALABAMA, ) (WO)  
INC.,                 )  
                        )  
Defendant.           )

JUDGMENT

In accordance with the memorandum opinion entered  
this date, it is the ORDER, JUDGMENT, and DECREE of the  
court that:

(1) Defendant Kelley Foods of Alabama, Inc.'s motion  
for summary judgment, as originally filed (Doc. No. 7)  
and as renewed (Doc. No. 27), is granted.

(2) Judgment is entered in favor of defendant Kelley  
Foods of Alabama, Inc. and against Plaintiff Anthony Lee  
Harbuck, with plaintiff Harbuck taking nothing by his  
complaint.

It is further ORDERED that costs are taxed against plaintiff Harbuck, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 29th day of March, 2006.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE